

## Assembly Bill No. 1502

### CHAPTER 53

An act to add Section 33216.1 to the Health and Safety Code, relating to redevelopment.

[Approved by Governor July 8, 1997. Filed with  
Secretary of State July 8, 1997.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 1502, Campbell. Redevelopment: transfer of territorial jurisdiction.

Under the existing Community Redevelopment Law, if all, or a substantial portion, of the noncontiguous territory of a redevelopment project area of a county redevelopment agency is subsequently annexed to a city or included within the boundaries of a new city, the jurisdiction of the county redevelopment agency over all, or a substantial portion of the noncontiguous area may be transferred to the city redevelopment agency, as specified.

This bill would provide that if all, or any portion, including a subarea of a project area, of the Orange County Neighborhood Development and Preservation Project is presently within, or subsequently annexed to a city or otherwise included within the boundaries of a city, the territorial jurisdiction of the agency of the county over all, or any portion including a subarea of the project area, of the territory in that project area may be transferred from the agency of the county to the agency of the city pursuant to existing provisions of law, except that the city ordinance adopting the same redevelopment plan as adopted by the board of supervisors may amend the plan.

The California Constitution provides that a local or special statute is invalid in any case if a general statute can be made applicable.

This bill would declare that, due to the unique circumstances within the County of Orange that the bill is intended to remedy, a general statute within the meaning of specified provisions of the California Constitution cannot be made applicable and a special statute is necessary.

*The people of the State of California do enact as follows:*

SECTION 1. Section 33216.1 is added to the Health and Safety Code, to read:

33216.1. (a) The Legislature finds and declares all of the following:

(1) The Orange County Board of Supervisors established the Neighborhood Development and Preservation Project on June 28, 1988.

(2) The Orange County Neighborhood Development and Preservation Project consists of 13 independent areas either within the territorial jurisdiction of incorporated cities or the sphere of influence of existing cities.

(3) The County of Orange and affected cities are in agreement that the territorial jurisdiction for the Neighborhood Development and Preservation Project areas for those areas presently within the boundaries of an incorporated city, and areas which upon their annexation or inclusion otherwise are included within the boundaries of an incorporated city should be transferred to the appropriate city.

(b) If any portion, including a subarea of the Orange County Neighborhood Development and Preservation Project, of the territory is currently within the boundaries of a city, or is subsequently annexed to a city or otherwise included within the boundaries of a city, the territorial jurisdiction of the agency of the county over that portion including a subarea of the project area, of the territory in the Orange County Neighborhood Development and Preservation Project may be transferred from the agency of the county to the agency of the city pursuant to Section 33216, except as provided below:

(1) If any portion, including a subarea of the Orange County Neighborhood Development and Preservation Project is transferred from the agency of the county to the agency of the city pursuant to this subdivision, the city ordinance adopting the same redevelopment plan as adopted by the board of supervisors may include an amendment to the plan. Any public notice required to amend the plan shall apply only to the portion, including a subarea, jurisdictionally transferred to the agency of the city.

(2) Notwithstanding paragraph (4) of subdivision (c) of Section 33216, any amendment adopted by the agency of the city shall not require the approval of the board of supervisors, unless that amendment would violate any agreement entered into by the agency of the county or the board of supervisors, as determined by the board of supervisors, prior to the effective date of the transfer of territorial jurisdiction.

SEC. 2. The Legislature finds and declares that, because of the unique circumstances applicable only to the County of Orange, a statute of general applicability cannot be enacted within the meaning of subdivision (b) of Section 16 of Article IV of the California Constitution. Therefore, this special statute is necessary.

